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December 1, 2023

VIA ECF

Hon. Gregory H. Woods
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *Kookmin Bank Co. Ltd. v. Ashkenazy*, No. 1:22-cv-005802 (the “Guaranty Action”);
Daol Rexmark Union Station LLC, et al. v. Union Station Sole Member, LLC,
No. 1:22-cv-06649-GHW (the “DJ Action”)

Dear Judge Woods:

We represent Defendant Ben Ashkenazy in the above-referenced Guaranty Action and Defendant Union Station Sole Member LLC (“USSM”) in the above-referenced DJ Action.

Pursuant to Rule 1(E) of Your Honor’s Individual Rules of Practice in Civil Cases, we write to request a one-week extension to December 12, 2023 of Mr. Ashkenazy’s time to answer Plaintiff’s Amended Complaint in the Guaranty Action and a one-week extension to December 13, 2023 of the parties’ time to submit a joint letter regarding briefing the privilege issues raised in the DJ Action. This extension is sought in order to allow time for counsel to consider the complex privilege issues discussed with the Court during the conference on November 29, 2023 in the DJ Action and the effect of those issues on each of the pending cases and to discuss the issues with Mr. Ashkenazy and USSM. Plaintiffs in both cases consent to the relief sought herein.

The current deadline for Ashkenazy’s response to Plaintiff’s complaint is December 5, 2023 and the parties’ joint submission is due December 6, 2023. This is Mr. Ashkenazy’s second request for an extension in the Guaranty Action; he previously sought, and the Court granted, an extension of time to answer or otherwise respond to the Plaintiff’s original complaint. The parties do not intend for this extension to affect any of the other scheduled dates in the Guaranty Action, including the initial Pretrial Conference scheduled for January 4, 2024 and the parties’ December 28, 2023, deadline for the submissions in advance of that conference.

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However, the deadline for completion of all discovery in the DJ Action currently is set for December 10, 2023. In order to provide sufficient time to brief and resolve any privilege issues and to complete any resulting discovery, the parties further request that the Court extend the deadline for discovery in the DJ Action to February 23, 2024 to permit only the additional discovery resulting from the November 29, 2023 conference. A proposed amended case management plan for the DJ Action, including proposed amended deadlines for dispositive motion briefing, is being filed as Exhibit A hereto in the DJ Action.

Accordingly, Mr. Ashkenazy requests that the Court enter an order extending to December 12, 2023, his time to answer Plaintiff's Amended Complaint in the Guaranty Action, extending to December 13, 2023, the deadline for the parties to file a joint submission regarding briefing the privilege issues in the DJ Action, and extending to February 23, 2024, the deadline for discovery in the DJ Action.

Respectfully,

/s/ David E. Ross

David E. Ross